

Notice of Preparation of a Program Environmental Impact Report For the Coastal Marine Aquaculture Projects

To: Interested Agencies, Organizations, and Individuals

Subject: Notice of Preparation of a Environmental Impact Report for the Proposed Coastal Marine Aquaculture Program SCH# 20007022103

Lead Agency: California Fish and Game Commission

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The California Department of Fish and Game (Department), on behalf of the California Fish and Game Commission (Commission), will be preparing a Program Environmental Impact Report (PEIR) for the Coastal Marine Aquaculture Program (Program). The Program will consist of updated Department regulations regarding coastal marine aquaculture, and the PEIR is being prepared per the requirements of Senate Bill 201 (discussed further below). The PEIR will identify and programmatically evaluate potential environmental impacts of construction and operation of marine aquaculture facilities, as well as discuss thresholds of significance and mitigation measures to reduce these impacts. The impacts and mitigation measures identified in the PEIR will provide a scientific basis for identifying necessary updates to the Department's existing regulatory program.

The Commission will serve as the lead agency in the preparation of the PEIR for compliance with the California Environmental Quality Act (CEQA). The purpose of a PEIR is to develop and evaluate the Program, and to inform decision makers and the general public about the potential environmental effects of existing and future marine aquaculture projects which would be considered under the Program. The PEIR would programmatically evaluate the various types of marine aquaculture facilities which currently exist or would be anticipated in the future, and that would have generally similar types of environmental effects which could be mitigated in similar ways. The PEIR process is intended to provide public agencies with the environmental information required to evaluate the proposed Program; to identify methods for reducing adverse environmental impacts; and to ensure that a range of alternatives is considered prior to the approval of the Program. The Commission wishes to notify the public of this Program as early as possible in order to initiate an open forum for discussion and public participation in the planning process. The purpose of this Notice of Preparation (NOP) is to solicit comments about the Program, including possible program alternatives, and the scope and content of the environmental information to be included in the PEIR, in accordance with CEQA.

The Department will be conducting three public scoping meetings during the week of March 5, 2007, at various locations throughout the state, as follows:

Monday, March 5
Santa Monica Main Public Library
Martin Luther King Jr. Auditorium
601 Santa Monica Blvd
Santa Monica, CA
6:30-8:30pm

Thursday, March 8
Wharfinger Building/Eureka Public Marina
Great Room
1 Marina Way at Waterfront Drive
Eureka, CA
6-8pm

Tuesday, March 6
Monterey Beach Resort
Bayview Room
2600 Sand Dunes Drive
Monterey, CA
6-8pm

The scoping meetings will present an opportunity for the Department to introduce the Program to the public and to solicit comments from the public and agencies during the early stages of Program development. Comments received at the public scoping meeting will be considered in the PEIR analysis.

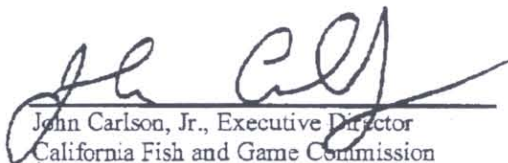
The scoping period for the Program will commence on **February 23, 2007 and will conclude on March 26, 2007**. Due to the time limits mandated by State law, comments must be sent at the earliest possible date but *no later than 30 days* after receipt of this notice and official commencement of the CEQA scoping period. Please send comments to Becky Ota at the address shown above by March 20, 2007.

Program Title: Coastal Marine Aquaculture Program

Program Location: State Tidelands and Submerged Lands (mean high tide line to 3 nautical miles offshore), and adjacent California Coastline, California

Program Description: Regulations guiding marine aquaculture projects (see attached *Program Description Summary*)

Date: February 23, 2007



John Carlson, Jr., Executive Director
California Fish and Game Commission

Program Description Summary: Coastal Marine Aquaculture Program

I Introduction and Background

On May 26, 2006, Governor Schwarzenegger signed into law Senate Bill 201. This new legislation prohibits a person from engaging in marine finfish aquaculture in state waters without a lease from the Commission and it sets new standards for Commission leasing for marine finfish aquaculture. In addition, SB 201 modifies 2003 legislative requirements related to aquaculture. These new provisions establish a framework for managing marine finfish aquaculture with a sustainable approach, which sufficiently considers environmental factors. Finally, it requires the Department to prepare a PEIR for existing and potential future commercial aquaculture operations in coastal areas of the state.

Seafood is the most widely imported food product into the U.S. with nearly \$12 billion dollars in annual imports in 2005. Over 70 percent of the seafood consumed in America is imported, and the annual U.S. demand is expected to increase by 3.3 billion pounds by 2010. Few fisheries can maintain a sustainable increase in total allowable catch. In 2004, over 75 percent of worldwide fish stocks were considered fully exploited, over-exploited or depleted.

The further development of coastal marine aquaculture may potentially alleviate this increasing supply and demand gap. The Federal government has planned for significant growth in the aquaculture sector, and is pushing for a five-fold increase in production by 2025. Presently most of the United States aquaculture is located in inland freshwater; however, most of the future growth is anticipated to occur from fish and shellfish farms located in near shore marine and oceanic waters.

Although permitting of marine aquaculture in state waters (out to 3 miles) could result in an increase in seafood supply, increase in jobs, and potentially a reduction in the need to harvest wild stocks of fish; there are public and agency concerns about the potential environmental and socio-economic concerns associated with increased marine aquaculture development. Several of these concerns are related to the high densities of fish in pens and cages including: increases in nutrient wastes from uneaten fish food; spreading of diseases within the farmed fish and/or transmittal of diseases to wild fish; increased usage of antibiotics; potential escape of farmed fish; and direct impacts due to construction of pens and cages. It should be noted that the Commission will not allow the culture of transgenic or exotic species of finfish, or the culture of salmon in State marine waters (Fish and Game Code §15007).

II. Program Objective

The broadest objective of the Program is to fulfill the requirements of SB201 in developing an updated regulatory program relating to marine aquaculture, including marine finfish aquaculture. The PEIR is intended to serve as a first step towards identifying the characteristics of the regulatory program, as well as providing a guide to applicants of new marine aquaculture projects in California. The PEIR will describe the regulatory settings, permits, potential aquaculture impacts and examples of best management practices to reduce the potential for impacts.

In addition, the PEIR is intended as a learning tool for project reviewers and the public who may be unfamiliar with the broad range of activities in the aquaculture industry. It will cover common aquaculture capture, spawning, and rearing practices; potential species for culture; and potential impacts due to a variety of aquaculture techniques. Because a wide variety of methods could potentially be used

by the industry, best management practices that include performance-based criteria may be developed which can more effectively be applied to many common activities, regardless of specific method.

III. Status of the Project and Next Steps

The Program is presently in the early stages of conceptual development. At this time, the Department is evaluating several aspects of the Program, including:

- The types, methods, and locations of marine aquaculture that would be allowed under the Program
- Associated best management practices and protection measures
- Alternatives to the proposed Program

The Program and feasible Program alternatives, once developed, will be carried forward for detailed evaluation in the PEIR.

IV. Program Environmental Impact Report

Consistent with the requirements of CEQA, the primary purposes of the PEIR are to (1) support the development and adoption of an updated regulatory program, and (2) provide an initial document that analyzes a broad range of similar projects such that it can serve as a first-tier environmental compliance document, simplifying the environmental review process for future, specific aquaculture projects. The PEIR will be used to analyze these subsequent projects' potential environmental effects; inform decision makers, other responsible agencies, and members of the public regarding the range of environmental impacts potentially associated with the Program; and recommend measures to mitigate any significant adverse impacts. This PEIR will analyze the preferred alternative and other Program alternatives identified during the screening process.

The PEIR will evaluate the Program's potential impacts to the environment, which may include, but may not be limited to, effects in the following areas.

- Agricultural resources
- Air quality
- Biological resources, including common wildlife, threatened and endangered species, and wetlands
- Cultural resources
- Hazardous Materials
- Hydrology and water quality
- Land use and planning
- Mineral resources
- Noise
- Population and Housing
- Public services

- Recreation
- Soils, geology, and seismicity
- Transportation and traffic
- Utilities
- Visual resources

Potential alternatives that could be subject to evaluation in the PEIR include, but may not be limited to, the following:

- No Program
- Varying levels of compliance for existing facilities
- Delayed implementation
- Phased implementation
- Varying levels of resource protection

V. Opportunities for Public Involvement

The Department welcomes public involvement throughout the alternatives development and environmental review processes for the Program. The initial public review and comment period will begin on February 23, 2007 and end on March 20, 2007, and will include public scoping meetings scheduled as follows:

Monday, March 5
 Santa Monica Main Public Library
 Martin Luther King Jr. Auditorium
 601 Santa Monica Blvd
 Santa Monica, CA
 6:30-8:30pm

Tuesday, March 6
 Monterey Beach Resort
 Bayview Room
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 Monterey, CA
 6-8pm

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 Wharfinger Building/Eureka Public Marina
 Great Room
 1 Marina Way at Waterfront Drive
 Eureka, CA
 6-8pm

As alternatives development and environmental review for the Program proceed, additional opportunities for public involvement in this process will be posted on the Department website (<http://www.dfg.ca.gov/>)

and via mailings. Individuals, organizations, and agencies who wish to be included on the PEIR mailing list should contact Becky Ota, Senior Environmental Scientist at the address listed above.